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... ..	26 26
he	26 26
... THE	26	Cornish Lark 26
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thousand copies of a proclamation which had been printed on a secret press, and which bore the signature of 'Nicholas Constantinowitch,' have been discovered in the Russian Ministry of Marine at St. Petersburg. Immediately after the discovery the director of the department in which the proclamations were found committed suicide."

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time, seeing that the obligation has been recognized and acted upon hitherto, it can hardly be said that a declaration of opinion by the Legislature is superfluous. The main object of the clause, however, is to protect the State against the loss through the introduction of the new system. It is therefore proposed to enact that the Board shall not be liable for any damage which may be caused by the absence of gates or gatekeepers, or by reason of the lines not being fenced in or fenced off. And, further, as it has been held by the Supreme Court, that when a line is carried through private property severance is an item of damage, and the landowner can claim the cost of fencing, it is provided that the absence of fencing shall not be taken into account in estimating the compensation for severance, or for injury affecting land under the compensation statute. The clause would nevertheless, if Mr. KENNERD'S opinion be correct, leave untouched the right of passengers in trains to claim compensation for injury. If a train ran over any cattle, the owner of the cattle would have no claim to damages on account of the absence of fencing, but if anybody in the train suffered through the stock, the stock would not deprive him of his claim.

The success, or failure, of this experiment will depend upon local conditions. Nothing less than actual experience will be sufficient to show whether, or how far, the fencing of railways can be discontinued with safety and advantage. The system has been tried extensively in America, and is followed in New Zealand and South Australia in this part of the world; but what will suit one place may not suit another, and even within the same colony there may be some lines to which it would be applicable, whilst to others it would not. It is said that in New Zealand—on one line, at least—the absence of fencing is a cause of inconvenient delay; but it is safe to say that experience where the system has been tried is favourable enough to support the Victorian Government in making the experiment.

The fact that railway trains are run at a considerable rate of speed through unfenced streets in Sydney was cited in the debate. The argument was worth something, but hardly so much as might appear at the first glance. The streets of Sydney, though busy and crowded, are thronged by people who have their eyes about them, and by horses that are ridden or driven, but are not left to go at large. The stock in pastoral country traversed by a railway are not in anybody's constant or immediate charge. If they choose to occupy the line they may become a source of either delay or danger. The question to be answered by experience is whether this possibility is or is not a matter of appreciable importance. It is at least not an extended question to confine the experiment in the first instance to lines on which trains do not run at night. In any case, if reasonable care be exercised, no harm need be done. The people of the thinly settled districts where the unfenced lines will run would lose far more by not having any railway than by having trains worked by daylight only and at low speed; and they would have no good reason to complain of the delays in a mode of conveyance which, allowing for all delays, far outstripped anything they possessed before. People, however, often grumble without having good reason for grumbling. They may promise to be content with low speed so that they may get a railway of some sort; but let the line be constructed, and they will want to know why their trains do not run as fast as any others, or at night. Should the Government be compelled to yield to the force of such demands, after ascertaining by experience that higher rates of speed and night travelling on unfenced lines would be productive of serious danger, the fences can then be added—and at less cost (so it seems to be agreed) than would have been incurred in their erection before the lines were constructed.

It is thought by some, that, so far as private lands are concerned, the abstinence of the Government from fencing will lead the owners to fence for themselves, and it is argued that there would be no hardship in this, inasmuch as the value of the land is increased by the construction of the railway. After all, is a fence erected for the benefit of the owner or of the land, or for the benefit of somebody else? If the Government, after reasonably conducting the experiment, can satisfy itself that there is no need for its own sake to fence in the railway, why should public money be spent to save the private owner the expense of fencing in his land? Mr. KENNERD called attention to the principle of the American *impriming* law, which is that, instead of owners of land being required to fence to keep out their neighbours' stock, owners of stock should be required to keep them upon their own land. The question is largely one of comparative risks. If unfenced railways would involve no risk to the Government, the Government can afford, as a matter of self-interest, to overlook the need of fencing. On the other hand, if the risk falls upon the owner of the adjoining land, it is his business to protect himself by shutting in his stock from access to the place of danger. The Government has as much right to run trains on its land as the adjoining landowner has to keep cattle on his. When an accident happens it will be through the straying of the cattle, not the straying of the trains, and there is much force in the argument that the responsibility of keeping the cattle from straying should rest upon their owners.

In the course of a somewhat desultory discussion about the slow progress of public works the other day Mr. LACKEY said, "The works generally were not being carried out as quickly as could be wished, simply from the fact of the great amount of public works being proceeded with and the prices, which were such that they could not be relied upon." In the Victorian House of Assembly, during a recent debate on railways, Mr. FRANCES raised a warning against the policy of rushing on a large number of public works at the same time. "Any sensible citizen," he said, "who had to build a house, or a bridge, or a railway, would not be largely naturally waited until such a time as he could carry on his operations—conveniently and profitably, and the State should do the same;" and he added, "The State had better submit to some inconvenience, even in respect to want of railway communication, than make their lines at a cost of 10 or 20 per cent. over the cost of ordinary times." This view of the matter is perhaps more important here than it is even in Victoria; because, with the surplus created by our land sales, there is a constant tendency to stimulate local demands and to run without thinking to meet any length of a warlike emergency. The Government is ready to answer almost any request, and the Assembly is willing to grant almost any vote asked for, and there is naturally a pressure to get the money expended; and the result, with the limited supply of labour at command, is, of course, to force

Borough Council Notices.

[illegible]

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Age Group	Percentage of Respondents
18-29	85%
30-49	80%
50-69	75%
70+	70%

